



6/11/18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. of: MILLER et al.

Serial No.: 09/965,237

Filed: September 27, 2001

For: SYSTEM AND METHOD FOR COLOUR MANAGEMENT

Group: 2676

Examiner: TAM D. TRAN

DOCKET: GSH 08-889792

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 CFR § 1.131
OF PRIOR INVENTION IN A WTO MEMBER COUNTRY
TO OVERCOME A CITED PATENT REFERENCE**

Dear Sir:

The undersigned, being named inventors of the subject Application, declare and state the following:

(1) While working for our employer, Corel Corporation, the Assignee of the above-identified U.S. Application, we, together with our co-inventors, conceived of and completed the invention described and claimed in the subject Application ("our invention"), in Canada, prior to May 29, 2001, the effective U.S. filing date of Rozzi (U.S. Publication No. 2002/0180751A1) cited in the Office Action mailed June 20, 2003 in the above matter.

(2) We prepared a written disclosure of our invention (**Exhibit A**), which was supplied to our employer's outside Canadian Patent Agency, who then prepared a draft Canadian patent application on our invention. As can be seen, the drawing figure attached to our disclosure (**Exhibit A**) closely correspond to the drawing Figures 5-10 submitted with the subject U.S. Application.

(3) Our draft Canadian patent application was reviewed and finalized, and the application was filed on July 20, 2001 as Canadian Patent Application No. 2,353,390.

(4) The attached **Exhibit A**, which was in existence prior to May 29, 2001, clearly shows a date of conception and completion of the invention of this Application all prior to the May 29, 2001 U.S. effective filing date of the Rozzi Application (U.S. Pub. No. '751). Moreover, having conceived of our invention prior to May 29, 2001, we proceeded diligently to prepare a complete written disclosure of same and to then promptly file a patent Application, initially in Canada, and thereafter, in the United States, covering our invention. At no time between our conception of our invention, and our filing of the subject U.S. Patent Application, did we ever intent to abandon our invention.

(5) Our co-inventor Volodymyr KYRNYCHNYY is no longer employed by Corel Corporation, and his whereabouts are unknown to us.

As named inventors, we hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Date: Oct 8/03

Russell Miller
Russell MILLER

Date: Oct. 8, 2003

Yahya Hasanain
Yahya HASANAIN

Date: October 8, 2003

Rick Champagne
Rick CHAMPAGNE
formerly known as Rick FORTIN

Serial No. 09/965,237
Docket No. GSH 08-889792
Declaration under 37 CFR 1.131

Date: Oct 8, 2003

Date: 10 OCT, 2003


Stephen SAMMON


Daniel E. FRANZBLAU

Ontario CANADA



ONTARIO

Form 25A — Formule 25A
Vital Statistics Act — Loi sur l'état civil

C0146272

Birthplace / Lieu de naissance

OLD/VEUX
NEU/NOUVEAU

FORTIN, JOSEPH GERALD RICHARD DICKY
CHAMPAGNE, RICK CHARLES

ONTARIO

Date of registration - Date d'enregistrement

AUGUST 22, 2002

Registration number - Numéro d'enregistrement

2002-05-005426

Spedal M. Hattman

(Deputy Registrar General)
(Registraire générale adjointe de l'état civil)



11150 (04/00)

CERTIFIED EXTRACT FROM CANADIAN CIVIL REGISTRATION
EXTRAIT CERTIFIÉ DU REGISTRE DE L'ÉTAT CIVIL DU CANADA

En Ruinen

(Registrar General)
(Le registraire général de l'état civil)